

D-15

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

September 8, 2006

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Oahu

Amendment of Prior Land Board Action of July 14, 2006, under Agenda Item D-12, Encroachment Determination on State Land and Imposition of Fine, An-Sui and Tracy Leiko Sakotani Lee, Aiea, Ewa, Oahu, Tax Map Key 9-9-09:013 (por)

BACKGROUND:

The Land Board at its meeting of July 14, 2006, under Agenda Item D-12, copy attached, found that there was an encroachment on State land in Aiea, Ewa, Oahu, identified as a portion of Tax Map Key 9-9-9:013, caused by An-Sui and Tracy Leiko Sakotani Lee. The Board required them to remove said encroachment to the satisfaction of the Department of Land and Natural Resources. The Board also imposed a fine of \$500.00 a day if the encroachment was not removed within sixty(60)days of the Board submittal, (July 14, 2006). The submittal initially requested thirty(30)days, but the Board amended it to provide for the removal of the encroachment within sixty(60)days of the Board submittal.

We have received a request by An-Sui and Tracy Leiko Sakotani Lee for another thirty(30)day extension. Currently, the Lees have until September 12, 2006, which is sixty(60)days after the Board meeting of July 14, 2006, to complete the removal of the material and debris unloaded onto State land.

They have informed us that their attorney has not completed the right-of-entry negotiation with the attorney for Errol and Theodora Kane, who have possession of lot adjacent to the State land. They are concerned that this negotiation will not be completed in time, and have requested an extension of thirty(30)days for a total of ninety(90)days from the initial July 14, 2006 Board meeting.

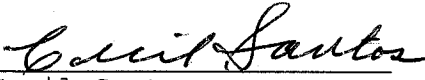
RECOMMENDATION: That the Board:

1. Amend its Land Board action of July 14, 2006, under Agenda Item D-12, to amend Staff's recommendation in Condition C to provide ninety(90)days from the date of the Board submittal for the removal of the encroachment before a fine of \$500.00 a day is imposed.

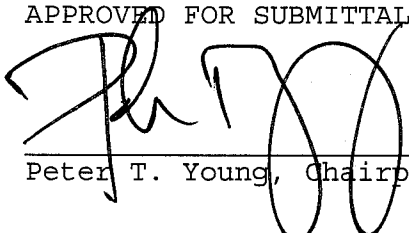
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2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
Cecil Santos  
Oahu District Land Agent

APPROVED FOR SUBMITTAL:

  
Peter T. Young, Chairperson